



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

Certified Mail

7012 3460 0003 1113 1090

February 13, 2015

City of Mt. Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, CA 96067

Attn: Rod Bryan, Public Works Director

CITATION NO. 01_01_15C_004 FOR VIOLATION OF MAXIMUM CONTAMINANT LEVEL FOR
TOTAL COLIFORM BACTERIA, CITY OF MT. SHASTA, SYSTEM #4710008

Enclosed is a citation issued to the City of Mt. Shasta for violating the maximum contaminant level for coliform bacteria during the month of January 2015. The order specifies action to be taken by the City of Mt. Shasta to achieve compliance and avoid future civil penalties.

Section 116577 of the California Safe Drinking Water Act provides for our department to be reimbursed by the public water system for costs incurred for preparing and issuing an enforcement action to that system. Therefore, your water system will be billed for the preparation and issuance of this order. Our costs are approximately \$128 per hour. At this time we have spent approximately two hours on enforcement activities associated with this violation. You will receive a bill for these costs in August, following the end of the State's fiscal year, from our Fee Billing Unit in Sacramento.

Should you have any questions, please contact me at (530) 224-4872 or Barry Sutter at (530) 224-4875.

Tony Wiedemann, P.E.
Klamath District Engineer
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosures

cc: Richard Hinrichs, Chief – DDW – Northern California Section

1 **STATE OF CALIFORNIA**
2 **STATE WATER RESOURCES CONTROL BOARD**
3 **DIVISION OF DRINKING WATER**
4

5 Date: February 13, 2015
6

7 To: City of Mt. Shasta
8 305 N. Mt. Shasta Blvd.
9 Mt. Shasta, CA 96067
10

11 Attn: Rod Bryan, Public Works Director
12

13 **CITATION No. 01_01_15C_004**
14 **FOR FAILUIRE TO**
15 **COMPLY WITH MAXIMUM CONTAMINANT LEVELS**
16 **FOR TOTAL COLIFORM BACTERIA**
17 **Section 64426.1**
18 **Title 22, California Code of Regulations**
19 **Public Water System: City of Mt. Shasta**
20 **Public Water System No.: 4710008**
21

22 Section 116650 of the California Health and Safety Code authorizes the issuance of a
23 citation to a public water system for violation of the California Safe Drinking Water Act
24 (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section
25 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order
26 issued or adopted thereunder.
27

1 The State Water Resources Control Board (hereinafter "State Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for
3 the Division (hereinafter "Deputy Director"), hereby issues a citation to the City of Mt.
4 Shasta for violation of Maximum Contaminant Levels for Total Coliform Bacteria, Section
5 64426.1 (a), California Code of Regulations (CCR).

6
7 **APPLICABLE AUTHORITIES**

8 **Section 64426.1 (Total Coliform Maximum Contaminant Level), CCR states in**
9 **relevant part:**

10
11 (b) A public water system is in violation of the total coliform MCL when any of the
12 following occurs:

13 (1) For a public water system which collects at least 40 samples per month, more
14 than 5.0 percent of the samples collected during any month are total coliform-
15 positive; or

16 (2) For a public water system which collects fewer than 40 samples per month, more
17 than one sample collected during any month is total coliform-positive; or

18 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

19 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine
20 sample is total coliform-positive.

21
22 A copy of additional *Applicable Authorities* is located in Appendix 1, which is attached
23 hereto and incorporated by reference.

24
25 **STATEMENT OF FACTS**

26 City of Mt. Shasta is classified as a community water system with a population of
27 approximately 3642, serving 1726 connections and collecting less than 40 coliform

1 samples per month. The Division received laboratory results for ten routine
2 bacteriological samples collected during January 2015, from City of Mt. Shasta. All
3 samples were analyzed for the presence of coliform bacteria and *E. coli*. Nine of the
4 samples tested positive for coliform bacteria but none tested positive for *E. coli*.

5
6 The City of Mt. Shasta also failed the total coliform monthly maximum contaminant level
7 in August, September, November, and December of 2014. The City conducted a
8 "Positive Total Coliform Investigation" in January 2015, as required by the Division in its
9 previous citation (No. 01_01_14C_006) to the City. The investigation identified a number
10 of possible pathways of contamination along the water transmission pipeline between the
11 springs and storage tanks. The City has not chlorinated its water in the past and its
12 customers are strongly opposed to chemical disinfection. The City has requested the
13 opportunity to attempt correction of the problem with repairs and improvements along the
14 water transmission main before being directed by the Division to chlorinate the water
15 supply from the springs. The City anticipates it will need two to three weeks to complete
16 the repairs and improvements.

17 18 **DETERMINATION**

19 The Division has determined that the City of Mt. Shasta is in violation of Title 22, CCR,
20 Section 64426.1, *Total Coliform Maximum Contaminant Level*. Section 64426.1(b)(2)
21 defines a violation of the total coliform MCL as when more than one sample collected
22 during any month is total coliform-positive (less than 40 bacteriological samples required
23 during any month). The results of the sample analysis indicated that nine were total
24 coliform-positive in January 2015. Therefore, City of Mt. Shasta violated the total
25 coliform maximum contaminant level contained in Section 64426.1.

1
2 **DIRECTIVES**

3 The City of Mt. Shasta is hereby directed to take the following actions:
4

- 5 1. Comply with Title 22, CCR, Section 64426.1, in all future monitoring periods.
6
7 2. On or before **February 27, 2015**, notify all persons served by the System of the MCL
8 violation in conformance with Title 22, CCR, Sections 64463.4 and 64465.
9

10 Appendix 2, *Public Notice Template* may be used to fulfill this directive. The
11 procedures for the distribution, format and content of the *Public Notice* shall be in
12 accordance with Article 18, Section 64463 through Section 64465, CCR, which
13 relevant parts are included in Appendix 1, *Applicable Authorities*.
14

- 15 3. The City of Mt. Shasta shall complete Appendix 3, *Certification of Public Notification*.
16 The City of Mt. Shasta shall submit the *Certification of Public Notification* with a copy
17 of the *Public Notice* to the Division on or before **March 6, 2015**.
18

- 19 4. The City of Mt. Shasta shall conduct needed repairs and improvements to its water
20 transmission main between the springs and storage tanks as identified in its *Positive*
21 *Total Coliform Investigation*. If the repairs and improvements fail to correct the
22 problem, such that the City fails the total coliform monthly maximum contaminant
23 level in March 2015, the City shall provide continuous disinfection of the water
24 supply from the springs beginning April 1, 2015. Disinfection shall continue until
25 permanent repairs and improvements are made that eliminate the total coliform
26 problem.
27

1 5. The City shall repeat the public notification steps noted in Directives 2 and 3, if it fails
2 the total coliform monthly maximum contaminant level in February 2015, before
3 repairs are completed to the transmission main. All persons shall be notified on or
4 before March 27, 2015, and Certification of Public Notification shall be submitted to
5 the Division on or before April 3, 2015.

6
7 All submittals required by this citation shall be submitted to the Division of Drinking Water
8 at the following address:

9
10 Tony Wiedemann, P.E.
11 Klamath District Engineer
12 364 Knollcrest Drive, Suite 101
13 Redding CA, 96002
14

15 The Division reserves the right to make such modifications to this citation as it may deem
16 necessary to protect public health and safety. Such modifications may be issued as
17 amendments to this citation and shall be effective upon issuance.

18
19 Nothing in this citation relieves the City of Mt. Shasta of its obligation to meet the
20 requirements of the California Safe Drinking Water Act (CHSC, Division 104, Part 12,
21 Chapter 4, commencing with Section 116270), or any regulation, standard, permit or
22 order issued thereunder.

23
24 **PARTIES BOUND**

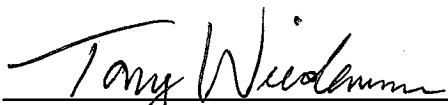
25 This citation shall apply to and be binding upon City of Mt. Shasta, its owners,
26 shareholders, officers, directors, agents, employees, contractors, successors, and
27 assignees.

1
2 **SEVERABILITY**

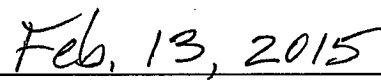
3 The Directives of this citation are severable, and City of Mt. Shasta shall comply with
4 each and every provision thereof notwithstanding the effectiveness of any provision.
5

6 **FURTHER ENFORCEMENT ACTION**

7 The California SDWA authorizes the Division to issue a citation or compliance order with
8 assessment of administrative penalties to a public water system for violation or continued
9 violation of the requirements of the California SDWA or any permit, regulation, permit or
10 order issued or adopted thereunder including, but not limited to, failure to correct a
11 violation identified in a citation or compliance order. The California SDWA also
12 authorizes the Division to take action to suspend or revoke a permit that has been issued
13 to a public water system if the system has violated applicable law or regulations or has
14 failed to comply with an order of the Division; and to petition the superior court to take
15 various enforcement measures against a public water system that has failed to comply
16 with an order of the Division. The Division does not waive any further enforcement action
17 by issuance of this citation or compliance order.
18

19
20 

21 Tony Wiedemann, P.E., District Engineer
22 Klamath District
23 State Water Resources Control Board
24 Drinking Water Field Operations Branch

25 

26 Date

27 Appendices (4):

- 24 1. Applicable Authorities
- 25 2. Public Notice Template
- 26 3. Certification of Public Notification

27 Certified Mail No. 7012 3460 0003 1113 1090

APPENDIX 1:
APPLICABLE AUTHORITIES
Coliform MCL, Coliform Monitoring, and Public Notification

Section 116271 of the California Health and Safety Code (CHSC) states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500.

...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are

- (c) If one or more samples in the repeat sample set is total coliform-positive, the water supplier shall collect and have analyzed an additional set of repeat samples as specified in subsections (a) and (b). The supplier shall repeat this process until either no coliforms are detected in one complete repeat sample set or the supplier determines that the MCL for total coliforms specified in §64426.1 has been exceeded and notifies the Department.
- (d) If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month. If the supplier stops supplying water during the month after the total coliform-positive(s), at least five samples shall be collected during the first month the system resumes operation. A water supplier may request the Department waive the requirement to collect at least five routine samples the following month, but a waiver will not be granted solely on the basis that all repeat samples are total coliform-negative. To request a waiver, one of the following conditions shall be met:
 - (1) The Department conducts a site visit before the end of the next month the system provides water to the public to determine whether additional monitoring and/or corrective action is necessary to protect public health.
 - (2) The Department determines why the sample was total coliform-positive and establishes that the system has corrected the problem or will correct the problem before the end of the next month the system serves water to the public. If a waiver is granted, a system shall collect at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with §64426.1.

Section 64426 of the CCR states in relevant part:

- (a) Any of the following criteria shall indicate a possible significant rise in bacterial count:
 - (1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive repeat samples in the repeat sample set;
 - (2) A system has a sample which is positive for fecal coliform or E. coli; or
 - (3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in §64426.1.
- (b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:
 - (1) Contact the Department by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours; and
 - (2) Submit to the Department information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:
 - (A) Current operating procedures that are or could potentially be related to the increase in bacterial count;
 - (B) Any interruptions in the treatment process;
 - (C) System pressure loss to less than 5 psi;
 - (D) Vandalism and/or unauthorized access to facilities;
 - (E) Physical evidence indicating bacteriological contamination of facilities;
 - (F) Analytical results of any additional samples collected, including source samples;
 - (G) Community illness suspected of being waterborne; and

- (ii) The system is notified that a sample collected under 22 California Code of Regulations sections 64422 and 64423 is total coliform-positive and the sample is not invalidated under 22 California Code of Regulations section 64425.
- (2) *Sampling requirements.* A ground water system must collect, within 24 hours of notification of the total coliform-positive sample, at least one ground water source sample from each ground water source in use at the time the total coliform-positive sample was collected under 22 California Code of Regulations sections 64422 and 64423, except as provided in paragraph (a)(2)(ii) of this section.
- (i) The State may extend the 24-hour time limit on a case-by-case basis if the system cannot collect the ground water source water sample within 24 hours due to circumstances beyond its control. In the case of an extension, the State must specify how much time the system has to collect the sample.
- (ii) If approved by the State, systems with more than one ground water source may meet the requirements of this paragraph (a)(2) by sampling a representative ground water source or sources. If directed by the State, systems must submit for State approval a triggered source water monitoring plan that identifies one or more ground water sources that are representative of each monitoring site in the system's sample siting plan under 22 California Code of Regulations sections 64422 and 64423 and that the system intends to use for representative sampling under this paragraph.
- (iii) A ground water system serving 1,000 people or fewer may use a repeat sample collected from a ground water source to meet both the requirements of 22 California Code of Regulations section 64424 and to satisfy the monitoring requirements of paragraph (a)(2) of this section for that ground water source only if the State approves the use of *E. coli* as a fecal indicator for source water monitoring under this paragraph (a). If the repeat sample collected from the ground water source is *E.coli* positive, the system must comply with paragraph (a)(3) of this section.

Section 64463.4 of the CCR states in relevant part:

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
- (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
- (A) Where a Tier 1 public notice is required under section 64463.1; or
- (B) Where the Department determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
- (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the Department determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the Department's written approval based on the violation or occurrence having been resolved and the Department's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
- (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
- (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the Department's written approval based on its

- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
 - (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail."; and
 - (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we [*did not monitor or test*' or *'did not complete all monitoring or testing'*] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time."
- (c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish. For each non-English speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice shall:
- (1) Contain information in the appropriate language(s) regarding the importance of the notice, or
 - (2) Contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.
- (d) Each public notice given pursuant to this article shall:
- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
 - (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
 - (3) Not contain language that minimizes or contradicts the information being given in the public notice.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

**State Coliform Standard Not Met for
City of Mt. Shasta – January 2015**

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

We routinely monitor for drinking water contaminants. In January 2015, routine water samples showed the presence of coliform bacteria. In accordance with State regulations, follow-up samples were taken which confirmed the presence of total coliform bacteria in the water. The standard is that no more than one sample per month may show the presence of total coliform bacteria. We took ten samples in January and nine tested positive for total coliform bacteria.

What should you do?

You do not need to boil your water or take other corrective actions.

This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*

Usually, coliform are a sign that there could be a problem with our treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing and check for the presence of other bacteria of greater concern, such as fecal coliform or *E. coli*. **We did NOT find any fecal coliform or *E. coli* bacteria in any of our water samples.**

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1 (800) 426-4791.

If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What Happened? What Was Done?

Persons wishing more information should contact:

(name)

(address)

(phone number)

Please share this information with other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Appendix 3
Certification of Public Notification
(Community)

This form when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463 - 64465.

Public Water System Name _____ **City of Mt. Shasta** _____

Public Water System No. _____ **4710008** _____

Public notification for the **January 2015 total coliform mcl violation** was performed by the following method(s) (check and complete those that apply):

_____ The notice was mailed to users on _____
A copy of the notice is attached.

_____ The notice hand delivered to water customers on _____
A copy of the notice is attached.

_____ The notice was published in the local newspaper on _____
A copy of the newspaper notice is attached.

_____ The notice was posted in the following conspicuous places:
A copy of the notice is attached.

Provide the date (or dates) that the notice was posted _____

_____ The notice was delivered to the following community organizations:
A copy of the notice is attached.

Provide the date (or dates) that the notice was delivered _____

I hereby certify that the above information is factual.

Printed Name

Signature

Date